IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82632 of 2026

CNR No. BRHC011155392026

Arising Out of PS. Case No.-167 Year-2026 Thana- Roshna District- Katihar

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Santosh Kumar @ Santosh Kumar Goswami Son of Maheshwar Goswami Resident of village - Sausa, P.S.- Maranga, District - Purnia.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner : Mr. Diwakar Upadhyaya, Adv.
For the Opposite Party : Mr. Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 25-11-2026 Heard learned counsel appearing on behalf of the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Roshna P.S. Case No. 167 of 2026 registered for the offences punishable under Sections 30(a), 41 and 47 of Bihar Prohibition & Excise Act.

3. The petitioner is named in the FIR and is in custody since 01.09.2026.

4. The allegation against the petitioner is to have in possession of 396.12 litres of illicit foreign liquor and engaged in illegal trading/manufacturing of illicit liquor.

5. Learned counsel appearing on behalf of the

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petitioner submitted that recovery of alleged illicit liquor was made from ambulance bearing Registration No. BR11T 6019. It is also submitted that petitioner is not the owner of the vehicle and also the petitioner was asked to take the vehicle to Katihar by one Sarvesh Kumar. It is submitted that nothing incriminating material was recovered from the conscious possession of this petitioner. It is pointed out that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. Petitioner claimed clean antecedent.

6. Learned APP opposed the prayer of bail.

7. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor prima-facie not appears to be made from physical possession of this petitioner coupled with the fact that petitioner being a man of clean antecedent remains in custody since 01.09.2026, accordingly, petitioner above-named, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special

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Excise Court-II, Katihar/concerned court, in connection with Roshna P.S. Case No. 167 of 2026, subject to the condition as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J.)

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